
OLR Bill Analysis

SB 71 (File 13, as amended by Senate "A")*

AN ACT EXPANDING THE "ONE FREE ITEM" RETAIL SALES LAW.

SUMMARY:

By law, consumers are entitled to receive an item for free if an electronic bar code scanner charges a price that is higher than the posted price. This bill expands the "one free item" law to cover retail foods without bar codes, including ones that must be weighed at purchase.

Under the bill, if a commodity, including fruits and vegetables, is offered for retail sale and its price at the point of sale is higher than the posted or advertised price, the consumer receives the commodity for free, up to a \$20 value. As under existing law, the retailer must post a conspicuous sign to inform consumers of this right.

The bill gives the consumer protection commissioner the same disciplinary powers as under the electronic pricing "one free item" law. It allows him, after providing notice and conducting a hearing, to issue violators a warning citation or impose a civil penalty of up to a \$100 for a first offense and up to a \$500 for a subsequent offense. Each violation with respect to all units of a particular commodity on a single day is deemed a single offense. But under the electronic pricing law, violators are subject to an additional fine of up to \$200 for a first offense and up to \$1,000 for subsequent offenses.

The bill applies only to stores with a retail sales area of more than 10,000 square feet.

*Senate Amendment "A" clarifies that "one free item" may mean more than one item for certain commodities (e.g., apples).

EFFECTIVE DATE: July 1, 2012

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 17 Nay 1 (02/23/2012)